

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

L'TANYA D. BURKLEY,)
)
Plaintiff,) Civil Action No. 05-1090
)
v.) Chief Judge Ambrose
) Magistrate Judge Caiazza
JO ANNE B. BARNHART,)
Commissioner of Social)
Security,)
)
Defendant.)

MEMORANDUM ORDER

On August 8, 2005, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On July 27, 2006, the magistrate judge issued a Report (Doc. 15) recommending that the District Court grant the Defendant's Motion for Summary Judgment (Doc. 13) and deny the Plaintiff's Motion for Summary Judgment (Doc. 11).

Service of the Report and Recommendation was made on the parties, and no objections have been filed. After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, on this 23rd day of Aug., 2006,

IT IS ORDERED that the Defendant's Motion for Summary Judgment (Doc. 13) is **GRANTED**, and the Plaintiff's Motion for Summary Judgment (Doc. 11) is **DENIED**.

The Report and Recommendation of Magistrate Judge Caiazza dated July 27, 2006 is hereby adopted as the opinion of the District Court.

Donetta W. Ambrose

Donetta W. Ambrose
Chief United States District Judge

cc (via email):

Scott W. Spadafore, Esq.
Megan Farrell, Esq.